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ALBERT W. WATKINS			EXAMINER	
30844 NE 1ST AVENUE			HEFFINGTON, JOHN M	
ST. JOSEPH, MN 56374				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/678,043

Applicant(s)

MCINTOSH ET AL.

Examiner

JOHN HEFFINGTON

Art Unit

2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 November 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 8-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 8-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/C)
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date: _____

DETAILED ACTION

This action is in response to the request for continued examination filed 4 November 2009. Claims 1-7 have been canceled. Claims 8, 11, 14, 16 have been amended. Claims 28-36 are new. Claims 8-36 are pending and have been considered below.

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4 November 2009 has been entered.

To expedite prosecution, the applicant should consider MPEP paragraph 714.12:

"Many of the difficulties encountered in the prosecution of patent applications after final rejection may be alleviated if each applicant includes, at the time of filing or no later than the first reply, claims varying from the broadest to which he or she believes he or she is entitled to the most detailed that he or she is willing to accept."

Prior Art As a Whole

The consideration of the prior art as applied to a rejection of the claims of an applicant's invention is not limited to the cited passages of the rejection. As per the following references from the MPEP, the prior art must be considered as a whole.

2123 [R-5] Rejection Over Prior Art's Broad Disclosure Instead of Preferred Embodiments

I. PATENTS ARE RELEVANT AS PRIOR ART FOR ALL THEY CONTAIN

Art Unit: 2179

"The use of patents as references is not limited to what the patentees describe as their own inventions or to the problems with which they are concerned. They are part of the literature of the art, relevant for all they contain." In re Heck, 699 F.2d 1331, 1332-33, 216 USPQ 1038, 1039 (Fed. Cir. 1983) (quoting In re Lemelson, 397 F.2d 1006, 1009, 158 USPQ 275, 277 (CCPA 1968)).

2141.02 [R-5] Differences Between Prior Art and Claimed Invention

Ascertaining the differences between the prior art and the claims at issue requires interpreting the claim language, and considering both the invention and the prior art references as a whole.

2143.01 [R-6] Suggestion or Motivation To Modify the References

I. * PRIOR ART **>SUGGESTION OF< THE DESIRABILITY OF THE CLAIMED INVENTION

"In affirming the Board's obviousness rejection, the court held that the prior art as a whole suggested the desirability of the combination.... ."

Response to Arguments

1. Applicant's arguments filed 4 November 2009 have been fully considered but they are not persuasive.

The applicant argues that "unless exactly the right number of windows have been opened prior to the start of the Tuttle testing system, Tuttle will reject a perfectly fine operation due to the shifting resulting from cascading windows." Since neither Tuttle nor the claims address shifting cascading windows, the examiner cannot address this argument with respect to the claims or the prior art of record.

The applicant argues that the reference column 8, lines 39-47 in Tuttle is to composite data, which is defined in column 6, lines 64-66 as a combination of input data, DVPU/Host commands, and comments, rather than to a first graphical element, as disclosed in the claims. The examiner agrees. In further consideration of Tuttle, the examiner has found the reference column 30, lines 47-59, in Tuttle which states that a signature can be made of just a portion of the screen of the system under test, rather than the whole screen. Furthermore, as previously cited, Tuttle can compare any number of signatures to any number of stored signatures. Therefore, Tuttle can search for a single component on any part of the screen.

The applicant argues that neither Tuttle nor Moore illustrates the detection of a graphical element then respond to either control execution flow or to control passage of a signal through an i/o channel. The examiner respectfully disagrees. In further consideration of Tuttle, the examiner believes that Tuttle discloses an i/o channel (column 10, lines 53-56).

The applicant argues that neither Tuttle nor Moore locate the graphical element as recited by the claims, nor do they then locate a user peripheral input device input action at a location relative to said first entity. The examiner is persuaded. However, the examiner believes that this well within the scope of Tuttle. Tuttle discloses capturing a portion of the video display of the system under test (column 30, lines 47-50) and the

test script issuing mouse commands in various locations in the graphical user interface (column 35, lines 9-12) and setting a parameter such that if the system under test does not respond within a set amount of time, then issuing a failure (column 39, lines 53-57). It is clear that once a command is sent to the unit under test that the system waits for a specified amount of time. If the system under test responds, the script continues with the next command. Since the next command could be a mouse command at some point on the screen, it is well within the scope of Tuttle that the script is anticipating a particular graphical control to be returned which would be actuated by the mouse command. Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to add a step of generating a user peripheral input device input action further comprises locating said user peripheral input device input action within said first graphical element to Tuttle and Perholtz. One would have been motivated to add a step of generating a user peripheral input device input action further comprises locating said user peripheral input device input action within said first graphical element to Tuttle and Perholtz in order to give Tuttle more control of the regression testing.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 8-11, 16-19, 22, 23, 26, 27 are rejected under 35 U.S.C. 102(b) as being anticipated by Tuttle et al. (US 5,157,782).

Claim 1: (Canceled)

Claim 2: (Canceled)

Claim 3: (Canceled)

Claim 4: (Canceled)

Claim 5: (Canceled)

Claim 6: (Canceled)

Claim 7: (Canceled)

Claims 8 and 16: Tuttle discloses method for using a first computer system to remotely monitor and interact with the operation of a second computer system through a graphical user interface of said second computer system, comprising the steps of:

- a. receiving a pixel image of said second computer system graphical user interface at said first computer system (column 6, lines 11-21, column 8, lines 39-47);

- b. searching said pixel image of said second computer system graphical user interface for a first graphical element which maybe found at one of a plurality of potential locations contained within and comprising less than said pixel image (column 30, lines 47-59),
- c. generating a user peripheral input device input action within said second computer system graphical user interface as interpreted by a second computer peripheral input device controller channel by passing a signal through an i/o communications channel from said first computer system to said second computer system graphical user interface responsive to said receiving and searching steps (column 6, lines 1-10, 22-28, column 10, lines 53-56);
- d. monitoring said pixel image of said second computer system graphical user interface from said first computer system for an expected second graphical element contained within and comprising less than said pixel image within a predetermined time interval (column 6, lines 28-30, 34-39, column 10, lines 20-26, column 17, lines 1-6); and
- e. signaling a failure at said first computer system if said expected second graphical element is not detected (column 6, lines 39-41).
- f. signaling a failure at said first computer system if said predetermined time interval elapses without detecting said expected second graphical element (column 7, lines 48-67, column 8, lines 1-9, column 17, lines 1-6, column 40, lines 52-63).

Claims 9 and 17: Tuttle disclose the methods of claims 8 and 16 and Tuttle further discloses the steps of:

- a. transferring said user input action to a script stored on said first computer system (column 7, lines 19-30);
- b. re-executing said steps of receiving, generating, monitoring and signaling subsequent to said storing step under control of said stored script (column 7, lines 48-58)..

Claims 10 and 18: Tuttle disclose the methods of claims 8 and 16 and Tuttle discloses further the steps of:

- a. providing graphical user interface language extensions commands to a scripting language (column 15, lines 56-68, column 16, lines 1-24); and
- b. passing said generated user input action through said graphical user interface language extensions from a scripting language processor to a language extensions processor (column 8, lines 21-26).

Claim 11: Tuttle disclose the methods of claim 8 and Tuttle further discloses the steps of:

- a. generating a user input action within said second computer system responsive to said second graphical element (column 8, lines 18-26);
- b. monitoring said second computer system graphical user interface for an expected third graphical element which maybe found at one of a plurality of

potential locations contained within and comprising less than said pixel image within a predetermined time interval (column 6, lines 28-30, 34-39, column 17, lines 1-6, column 30, lines 47-59); and

- c. signaling a failure at said first computer system if said predetermined time interval elapses without detecting said expected third graphical element (column 6, lines 39-41, column 8, lines 1-9, column 17, lines 1-6, column 39, lines 53-57, column 40, lines 52-63).

Claim 19: Tuttle discloses the method of claim 16 and Tuttle further discloses the steps of:

- a. generating a user input action within said second computer system responsive to said second graphical element (column 8, lines 18-26);
- b. monitoring said second computer system graphical user interface for an expected third graphical element which maybe found at one of a plurality of potential locations contained within and comprising less than said pixel image within a predetermined time interval (column 6, lines 28-30, 34-39, column 8, lines 39-47, column 39, lines 53-57); and
- c. signaling a failure at said first computer system if said predetermined time interval elapses without detecting said expected third graphical element (column 6, lines 39-41, column 39, lines 53-57, column 39, lines 53-57).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 12-14, 20, 21, 24, 25, 28-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tuttle et al. (US 5,157,782) in view of Perholtz et al. (US 5,732,212).

Claims 12 and 20: Tuttle disclose the methods of claims 8 and 16 and Tuttle further discloses the steps of:

- a. receiving a local user input action at said first computer system within said local display (column 6, lines 1-4, column 36, lines 6-14);
- b. wherein said generated user input action emulates said local user input action (column 7, lines 12-18),

Tuttle does not disclose depicting said second computer system graphical user interface upon a local display of said first computer system including said first graphical element, as disclosed in the claims. However, in the same field of invention, Perholtz discloses depicting said second computer system graphical user interface upon a local display of said first computer system including said first graphical element (column 6, lines 58-64, column 14, lines 56-59). Therefore, considering the teachings of Tuttle and Perholtz, it

would have been obvious to one having ordinary skill in the art at the time of the invention to add depicting said second computer system graphical user interface upon a local display of said first computer system including said first graphical element, as disclosed in Perholtz, to the teachings of Tuttle. One would have been motivated to add depicting said second computer system graphical user interface upon a local display of said first computer system including said first graphical element, as disclosed in Perholtz, to the teachings of Tuttle in order to allow a user to remotely monitor and control a host computer (Perholtz: column 1, lines 12-14).

Claims 13 and 21: Tuttle discloses the method of claim 8 further comprising the steps of:

- a. providing graphical user interface language extensions commands to a scripting language (column 15, lines 56-68, column 16, lines 1-24); and
- b. receiving a local user input action within said local display (column 6, lines 1-4, column 36, lines 6-14);
- c. transferring said user input action to a script stored on said first computer system (column 7, lines 19-30);
- d. passing said generated user input action through said graphical user interface language extensions from a scripting language processor to a language extensions processor for reproduction at said second computer system graphical user interface, wherein said generated user input action emulates said local user

input action (column 15, lines 56-68, column 16, lines 1-24, column 8, lines 21-26, column 7, lines 12-18); and

- e. re-executing said steps of receiving, searching, generating, monitoring and signaling subsequent to said storing step under control of said stored script (column 7, lines 48-58, column 8, lines 39-47),

Tuttle does not disclose depicting said computer system graphical user interface upon a local display of said first computer, as disclosed in the claims. However, in the same field of invention, Perholtz discloses depicting said computer system graphical user interface upon a local display of said first computer (column 6, lines 58-64, column 14, lines 56-59). Therefore, considering the teachings of Tuttle and Perholtz, it would have been obvious to one having ordinary skill in the art at the time of the invention to add depicting said computer system graphical user interface upon a local display of said first computer, as disclosed in Perholtz, to the teachings of Tuttle. One would have been motivated to add depicting said computer system graphical user interface upon a local display of said first computer, as disclosed in Perholtz, to the teachings of Tuttle in order to allow a user to remotely monitor and control a host computer (Perholtz: column 1, lines 12-14).

Claim 14: Tuttle discloses a method for enabling a local system to remotely operate a remote computer system through a graphical user interface on said remote computer system by using local scripts that selectively respond to changes in graphical displays

upon said graphical user interface of said remote computer system, comprising the steps of:

- a. capturing user input effected in said depiction of said remote system graphical user interface display (column 6, lines 22-28);
- b. implementing through a local system command language set user input emulations representative of said captured user input reproduced at said remote computer system graphical user interface through a channel (column 15, lines 56-68, column 16, lines 1-24);
- c. image processing said remote computer system graphical displays to detect a first entity which maybe found at one of a plurality of potential locations contained within and comprising less than said graphical display upon said graphical user interface of said remote computer system (column 6, lines 28-30, 34-39, column 30, lines 47-59);
- d. controlling a flow of execution of said local system through a scripting language having scripting commands in combination with said command language set (column 6, lines 31-48, column 8, lines 39-47); and
- e. communicating between said local system and said remote computer system graphical user interface through a communication interface responsive to said flow controlling step (column 6, lines 31-48, column 10, lines 53-56);
- f. controlling a flow of execution of said local system through a scripting language having scripting commands in combination with said command language set responsive to a detection of said first entity during said image processing step

(column 6, lines 38-41).

Tuttle does not disclose displaying a depiction of said remote system graphical user interface display on said local system, as disclosed in the claims. However, in the same field of invention, Perholtz discloses displaying a depiction of said remote system graphical user interface display on said local system (column 6, lines 58-64, column 14, lines 56-59). Therefore, considering the teachings of Tuttle and Perholtz, it would have been obvious to one having ordinary skill in the art at the time of the invention to add displaying a depiction of said remote system graphical user interface display on said local system, as disclosed in Perholtz, to the teachings of Tuttle. One would have been motivated to add displaying a depiction of said remote system graphical user interface display on said local system, as disclosed in Perholtz, to the teachings of Tuttle in order to allow a user to remotely monitor and control a host computer (Perholtz: column 1, lines 12-14).

Claim 15: Tuttle and Perholtz disclose the method for enabling a local system to remotely operate a remote computer system through a graphical user interface on said remote computer system of claim 14 and Tuttle further discloses the steps of:

- a. storing said scripting commands into a storing means (column 7, lines 23-26);
- b. inserting a command from said command language set into said storing means (column 15, lines 56-63, column 29, lines 23-28); and
- c. executing said inserted stored command (column 29, lines 29-39).

Claim 22: Tuttle and Perholtz disclose the method of claim 8, but Tuttle does not disclose said step of generating a user peripheral input device input action further comprises locating said user peripheral input device input action within said first graphical element. However, Tuttle discloses capturing a portion of the video display of the system under test (column 30, lines 47-50) and the test script issuing mouse commands in various locations in the graphical user interface (column 35, lines 9-12) and setting a parameter such that if the system under test does not respond within a set amount of time, then issuing a failure (column 39, lines 53-57). It is clear that once a command is sent to the unit under test that the system waits for a specified of time. If the system under test responds, the script continues with the next command. Since the next command could be a mouse command at some point of the screen, the it is well within the scope of Tuttle that the script is anticipating a particular graphical control to be returned which would be actuated by the mouse command. Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to add step of generating a user peripheral input device input action further comprises locating said user peripheral input device input action within said first graphical element to Tuttle and Perholtz. One would have been motivated to add step of generating a user peripheral input device input action further comprises locating said user peripheral input device input action within said first graphical element to Tuttle and Perholtz in order to give Tuttle more control of the regression testing.

Claim 23: Tuttle and Perholtz disclose the method of claim 22, and Tuttle further discloses said user peripheral input device input action further comprises a click event (column 39, lines 9-20).

Claim 26: Tuttle and Perholtz disclose the method of claim 16, but Tuttle does not disclose said step of generating a user peripheral input device input action further comprises locating said user peripheral input device input action within said first graphical element. However, Tuttle discloses capturing a portion of the video display of the system under test (column 30, lines 47-50) and the test script issuing mouse commands in various locations in the graphical user interface (column 35, lines 9-12) and setting a parameter such that if the system under text does not respond within a set amount of time, then issuing a failure (column 39, lines 53-57). It is clear that once a command is sent to the unit under test that the system waits for a specified of time. If the system under test responds, the script continues with the next command. Since the next command could be a mouse command at some point of the screen, the it is well within the scope of Tuttle that the script is anticipating a particular graphical control to be returned which would be actuated by the mouse command. Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to add step of generating a user peripheral input device input action further comprises locating said user peripheral input device input action within said first graphical element to Tuttle and Perholtz. One would have been motivated to add step of generating a user peripheral input device input action further comprises locating said user peripheral input

device input action within said first graphical element to Tuttle and Perholtz in order to give Tuttle more control of the regression testing.

Claim 27: Tuttle and Perholtz disclose the method of claim 26, and Tuttle further discloses said user peripheral input device input action further comprises a click event (column 39, lines 9-20).

Claim 24: Tuttle and Perholtz disclose the method of claim 14, but Tuttle does not disclose said step of generating a user peripheral input device input action further comprises locating said user peripheral input device input action within said first graphical element. However, Tuttle discloses capturing a portion of the video display of the system under test (column 30, lines 47-50) and the test script issuing mouse commands in various locations in the graphical user interface (column 35, lines 9-12) and setting a parameter such that if the system under test does not respond within a set amount of time, then issuing a failure (column 39, lines 53-57). It is clear that once a command is sent to the unit under test that the system waits for a specified of time. If the system under test responds, the script continues with the next command. Since the next command could be a mouse command at some point of the screen, the it is well within the scope of Tuttle that the script is anticipating a particular graphical control to be returned which would be actuated by the mouse command. Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to add step of generating a user peripheral input device input action further comprises locating

said user peripheral input device input action within said first graphical element to Tuttle and Perholtz. One would have been motivated to add step of generating a user peripheral input device input action further comprises locating said user peripheral input device input action within said first graphical element to Tuttle and Perholtz in order to give Tuttle more control of the regression testing.

Claim 25: Tuttle and Perholtz disclose the method of claim 24, and Tuttle further discloses said user peripheral input device input action further comprises a click event (column 39, lines 9-20).

Claim 28: Tuttle discloses a method for enabling a first computing machine to remotely operate a second computing machine through a graphical user interface on said second computing machine by using scripts that selectively respond to changes within graphical displays upon said graphical user interface of said second computing machine, comprising the steps of:

- a. capturing user input effected in said depiction of said second computing machine graphical user interface display (column 6, lines 22-28);
- b. image processing said second computing machine graphical displays to detect presence of a first entity which may be found at one of a plurality of potential locations contained within and comprising less than said graphical display upon said graphical user interface of said second computing machine (column 6, lines 28-30, 34-39, column 30, lines 47-59);

- c. controlling a flow of execution of said first computing machine through a scripting language having scripting commands in combination with said command language set responsive to a detection of said first entity during said image processing step (column 6, lines 31-48, column 7, lines 59-68, column 8, lines 1-9);
- d. implementing user input emulations representative of said captured user input reproduced at said second computing machine graphical user interface through a peripheral input device i/o channel responsive to said first entity presence (column 6, lines 31-48, column 10, lines 53-56); and
- e. communicating between said first computing machine and said second computing machine graphical user interface through a communication interface responsive to said flow controlling step (column 6, lines 31-48, column 7, lines 59-68, column 8, lines 1-9).

Tuttle does not disclose displaying a depiction of said second computing machine graphical user interface display on a graphical user interface of said first computing machine, as disclosed in the claims. However, in the same field of invention, Perholtz discloses displaying a depiction of said second computing machine graphical user interface display on a graphical user interface of said first computing machine (column 6, lines 58-64, column 14, lines 56-59). Therefore, considering the teachings of Tuttle and Perholtz, it would have been obvious to one having ordinary skill in the art at the time of the invention to add displaying a depiction of said second computing machine

graphical user interface display on a graphical user interface of said first computing machine, as disclosed in Perholtz, to the teachings of Tuttle. One would have been motivated to add displaying a depiction of said second computing machine graphical user interface display on a graphical user interface of said first computing machine, as disclosed in Perholtz, to the teachings of Tuttle in order to allow a user to remotely monitor and control a host computer (Perholtz: column 1, lines 12-14).

Claim 29: Tuttle and Perholtz disclose the method for enabling a first computing machine to remotely operate a second computing machine through a graphical user interface on said second computing machine of claim 28 and Tuttle further discloses said step of implementing user input emulations further comprises locating user input emulations at a location determined relative to said first entity (column 35, lines 9-11).

Claim 30: Tuttle and Perholtz method for enabling a first computing machine to remotely operate a second computing machine through a graphical user interface on said second computing machine of claim 29 and Tuttle further discloses said step of implementing user input emulations further comprises locating user input emulations directly upon said first entity (column 16, lines 48-49).

Claim 31: Tuttle and Perholtz method for enabling a first computing machine to remotely operate a second computing machine through a graphical user interface on said second computing machine of claim 28 wherein said first entity further comprises

an icon (column 16, lines 48-49).

Claim 32: Tuttle and Perholtz method for enabling a first computing machine to remotely operate a second computing machine through a graphical user interface on said second computing machine of claim 28 wherein said first entity further comprises a graphical control (column 16, lines 48-49).

Claim 33: Tuttle and Perholtz method for enabling a first computing machine to remotely operate a second computing machine through a graphical user interface on said second computing machine of claim 28 wherein said first entity further comprises a prompt (column 30, lines 39-43).

Claim 34: Tuttle and Perholtz method for enabling a first computing machine to remotely operate a second computing machine through a graphical user interface on said second computing machine of claim 28 wherein said first entity further comprises a command button (column 16, lines 48-49).

Claim 35: Tuttle and Perholtz method for enabling a first computing machine to remotely operate a second computing machine through a graphical user interface on said second computing machine of claim 28 wherein said first entity further comprises a message box (column 12, lines 45-50).

Claim 36: Tuttle and Perholtz method for enabling a first computing machine to remotely operate a second computing machine through a graphical user interface on said second computing machine of claim 28 but Tuttle does not disclose said second computing machine further comprises a virtual network computing component.

However, Perholtz discloses said second computing machine further comprises a virtual network computing component (column 2, lines 48-51). Therefore, considering the teachings of Tuttle and Perholtz, it would have been obvious to one having ordinary skill in the art at the time of the invention to add said second computing machine further comprises a virtual network computing component, as disclosed in Perholtz, to the teachings of Tuttle and Perholtz. One would have been motivated to add said second computing machine further comprises a virtual network computing component, as disclosed in Perholtz, to the teachings of Tuttle and Perholtz in order to allow a network administrator to maintain a network component in the event of a failure (Perholtz: lines 48-51).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOHN M. HEFFINGTON whose telephone number is (571)270-1696. The examiner can normally be reached on Mon - Fri 8:00 - 5:30 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (571) 272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/SARA HANNE/
Primary Examiner, Art Unit 2179

JMH
1/14/09